
Sent: 15/06/2023 7:34:52 PM
Subject: Development Application DA2023/0617 – Objection Submission to Council
Attachments: DA2023_0617 Objection Letter.pdf;

Hi,

Please find attached objection submission in relation to the proposed development application 'DA2023/0617' lodged with the Northern Beaches Council on 24/05/2023.

Please confirm receipt of this email.

Regards,
Chris Grayson
2/72A West Street, Balgowlah



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Development Application DA2023/0617 – Submission to Council

Dear Maxwell Duncan,

We, Chris Grayson and Claire Simon, residents of 2/72A West St, are writing to formally object to development application 'DA2023/0617' lodged with the Northern Beaches Council on 24 May 2023. We are alarmed at the non-compliance of the proposed development (under Manly LEP 2013 and Manly DCP 2013) and its lack of consideration for neighbouring residents, as well as the immediate surrounding area.

Summary of concerns – specific details below

- Bulk and scale of development
- Inappropriate setbacks
- Overshadowing
- Shared footpath safety
- Misrepresentations on submitted plans

Considerations for council

We request that the council take into account the following considerations when assessing the development application;

- **Bulk and scale of development** - that the council impose a reduction of the FSR to align with the Manly LEP 2013 and existing neighbouring buildings (i.e. 72A & 72B West St, and 20 Angle St). Enforce minimum landscaped area requirements to allow for appropriate flora along western boundary.
- **Inappropriate setbacks** – that the council enforce minimum required setbacks as required under the Manly DCP 2013.
- **Overshadowing** – that the council request accurate certified shadow diagrams be submitted to demonstrate the true impact on habitable rooms for 72A & 72B West St, and ensure these are available for the public to review.
- **Shared footpath safety** – that the council consider public safety related to the shared footpath, and reduce the number of units and associated carparking facilities.
- **Misrepresentation on submitted plans** – that the council request accurate, complete and representative plans that are made available to the public for review.

Bulk and scale of development

As detailed in the Statement of Environmental Effects (SEE), section 4.1.3, the proposed development has a gross floor area of 793.4m² resulting in a floor space ratio (FSR) of 0.95:1. This is significantly greater (>90%) than the prescribed ratio of 0.5:1 under the MLEP 2013. We believe this demonstrates that the proposed bulk and scale of the building is out of keeping with the Northern Beaches Councils aims under the Manly LEP 2013, particularly 1.2(2)(a)(i) *“to promote a high standard of urban design that responds to the existing or desired future character of area”*, and 1.2(2)(b)(ii) *“to ensure high quality landscaped areas in the residential environment”*.

Inappropriate setbacks

The proposed development lacks compliance with the minimum required (Manly DCP 2013) setback of 3.0-meters on the western boundary, resulting in habitable rooms in the proposed development being non-compliant when measured against the existing 72A & 72B West St building. As demonstrated below the existing Master Set Plans are inaccurate and misleading, with the 3.0-meter setback represented by a measurement that is on a diagonal and not at the closest separation points of the buildings. In addition, the existing structure where highlighted below is a ground floor carport which does not extend to a Level 1 height, a further misrepresentation within the Master Set Plans.

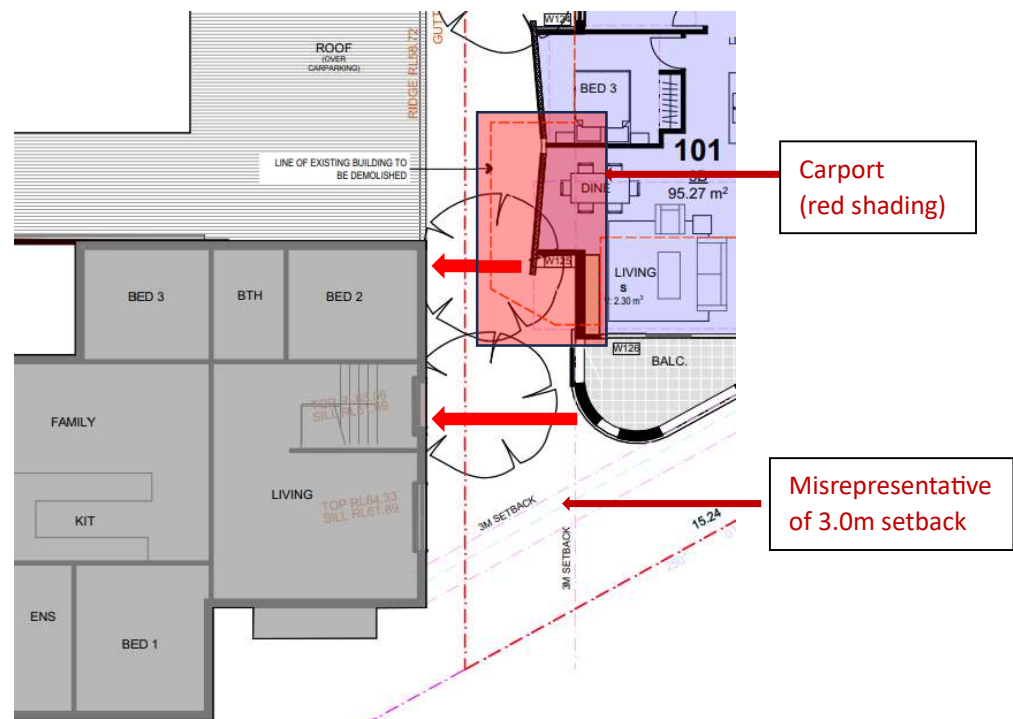


Figure 1: Plans - Master Set 'Level 1 Floor Plan' pg4

Overshadowing

The proposed developments bulk and encroachments of setbacks as noted above, raises concerns of overshadowing and natural light access to our (2/72A West St) Living space, Bedroom 2 and Access foyer (ground floor). The shadow diagrams submitted (Master Set Plans, pg19-20) are limited in their times of day, the 'view from sun' and their potential impact, we believe they do not represent an accurate reflection of shadowing. We would request that accurate certified hourly shadow diagrams be submitted to demonstrate the true impact on habitable rooms for 72A West St.

Shared footpath safety

The proposed development includes parking facilities for 15 cars spaces which represents a material increase (400%) on existing vehicle traffic from residents at 22 & 24 Angle St. The proposed development details plans for parking facilities to enter/exit via Angle St using a shared public footpath that connects Angle St and Sydney Rd. We have concerns regarding the safety of the local community (including primary school aged children) who use this shared footpath daily to access key infrastructure in the area, such as; Stockland Balgowlah Shopping Centre, Northern Beaches Balgowlah Boys Campus, Saint Cecilia's Primary School, and Manly West Primary School. The current use of this shared footpath is the most direct and safest access to this infrastructure, and the proposed increased usage raises public safety concerns.



Figure 2: Shared public footpath between Angle St and Sydney Rd

Misrepresentation on submitted plans

In addition to the misrepresentations highlighted above regarding setback distances, we believe further misrepresentation existing within the submitted documents. These include;

- Plans – Stormwater, pg3 – That an unapproved drainage easement along the southern boundary of 72 West St be sufficient, considering that approval for proposed easement is not guaranteed to be approved.
- Plans – Master St, pg3 – The existing plans do not include a courtyard that exists for unit 1/72A West St (as demonstrated below). Therefore, appropriate considerations related to the area have not been included in the submission.

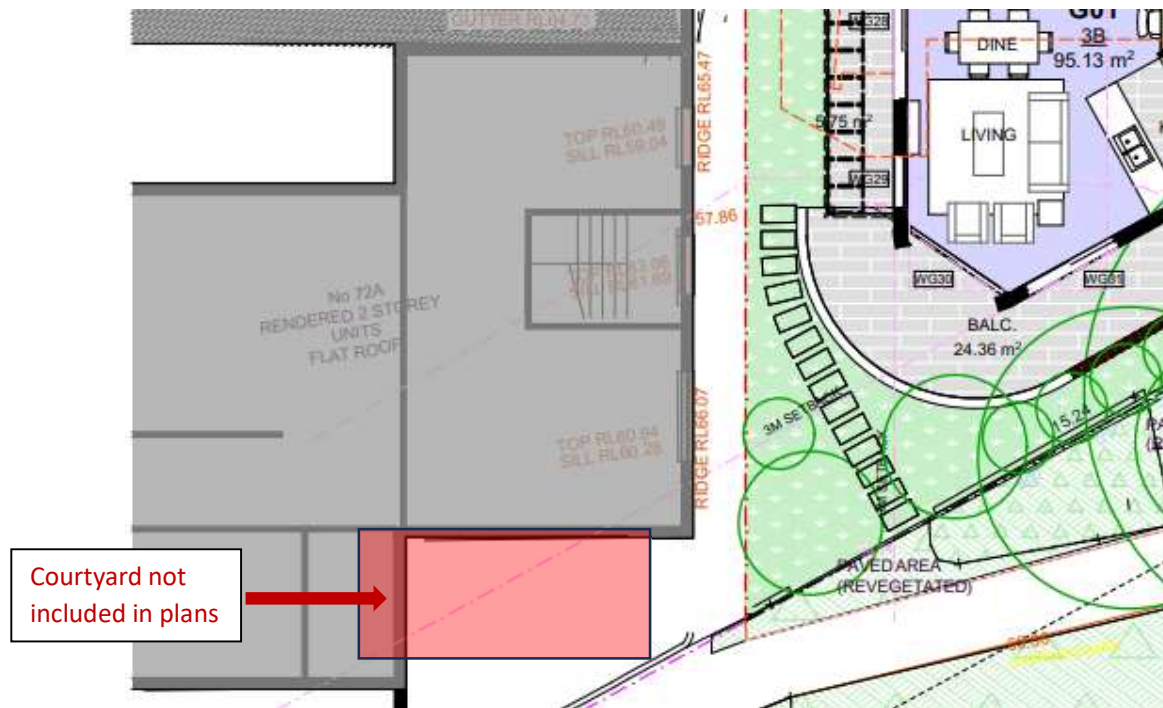


Figure 3: Plans - Master Set 'Ground Floor Plan' pg3